GOVERNMENT OF INDIA
LAW , JUSTICE AND COMPANY AFFAIRS
LOK SABHA

UNSTARRED QUESTION NO:7506
ANSWERED ON:16.05.2002
CURBING OF CRIMINALISATION OF POLITICS
CHANDRESH PATEL KORDIA

Will the Minister of LAW , JUSTICE AND COMPANY AFFAIRS be pleased to state:

(a) whether the Supreme Court has given a ruling and issued guidelines on May 2, 2002 aimed at curbing criminalisation of politics;

(b) if so, the details thereof;

(c) the reaction of the Union Government, State Governments, Election Commission, political parties, social organizations, public and the press threon; and

(d) the time by which and the way in which the Government propose to implement the said ruling of the Supreme Court?

Answer

MINISTER OF LAW, JUSTICE & COMPANY AFFAIRS (SHRI ARUN JAITLEY)

(a) to (d): The Supreme Court in its judgement dated 2.5.2002 in CA No. 7178 of 2001 - Union of India vs Association of Democratic Reforms and another and W.P.No. 294 of 2001 - Peoples` Union for Civil Liberties (PUCL) and another vs Union of India and another, has directed the Election Commission of India to call for information on affidavit by issuing necessary orders in exercise of its powers under article 324 of the Constitution requiring each candidate seeking election to Parliament or a State legislature to furnish in his nomination paper, information on following aspects in relation to his/her candidature:

(i) whether the candidate is convicted / acquitted / discharged of any criminal offence in the past - if any; whether he has been punished with imprisonment or fine;

(ii) prior to six months of filing of his/her nomination, to indicate whether the candidate is accused in any pending case, of any offence punishable with imprisonment for two years or more, and whether any charge is framed or cognizance is taken by the Court of law; if so, the details thereof;

(iii) the assets (immovable, movable, bank balances, etc.) of a candidate and of his/her spouse and that of his/her dependents;

(iv) liabilities, if any, particularly whether there are any dues which he/she owes particularly to any financial institution or Government; and

(v) the educational qualifications of the candidate.

The Election Commission has been directed to draw up the norms and modalities to carry out and give effect to the aforesaid directions as early as possible and in any case within a period of two months.